

111TH CONGRESS  
1ST SESSION

# S. 175

To evaluate certain skills certification programs, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JANUARY 8, 2009

Mr. FEINGOLD introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To evaluate certain skills certification programs, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Skills Standards Cer-  
5       tification Evaluation Act of 2009”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

8               (1) Various entities across the United States  
9       have generated skills certification programs based on  
10      local and regional needs. At the same time, some na-  
11      tional groups have engaged in similar efforts.

1           (2) As State and local workforce investment  
2 boards, workers, and employers search for a mean-  
3 ingful way to categorize skills, information about ex-  
4 isting skills certification programs and certifications  
5 can be limited, and may lead to the development of  
6 new, duplicative certifications.

7           (3) As these skill certification programs may  
8 take less time than technical or vocational degrees,  
9 the programs provide important recognition for both  
10 employers and employees.

11           (4) Nationally available, recognized standards  
12 for skills certification allow employers and employees  
13 the greatest possible flexibility by making the certifi-  
14 cation portable and meaningful.

15           (5) These standards benefit both incumbent,  
16 highly skilled workers and those workers with less  
17 specialized skills or just starting in the workforce.

18           (6) Widely recognized standards for skills cer-  
19 tification provide States, regions, communities, and  
20 cities the option and ability to quantify and cat-  
21 egorize their workforce in a meaningful way.

22           (7) There is a well-documented “skills gap” in  
23 many industries, including manufacturing, that  
24 makes it difficult for employers to find workers.

1           (8) In 2005, 90 percent of manufacturing em-  
2           ployers say a shortage of qualified production work-  
3           ers is their top workforce issue.

4 **SEC. 3. PURPOSES.**

5           The purposes of this Act are—

- 6           (1) to periodically evaluate skills certification  
7           programs that certify various employee skills and to  
8           determine which skills certifications are most desired  
9           by employers and employees; and  
10          (2) to make information, and materials if pos-  
11          sible, about skills certification programs available to  
12          eligible entities providing job training.

13 **SEC. 4. DEFINITIONS.**

14          In this Act:

15          (1) **LOCAL BOARD.**—The term “local board”  
16          means a local workforce investment board estab-  
17          lished under section 117 of the Workforce Invest-  
18          ment Act of 1998 (29 U.S.C. 2832).

19          (2) **SKILLS CERTIFICATION PROGRAM.**—The  
20          term “skills certification program” means an indus-  
21          try-led or industry-created program that—

22                  (A) receives Federal funding;

23                  (B) is in existence as of the time that the  
24          evaluation under section 5 is conducted;

1 (C) delineates a skill set necessary for a  
2 career in a certain industry;

3 (D) is not associated with an associate,  
4 baccalaureate, or postbaccalaureate degree pro-  
5 gram, and does not culminate in such a degree;  
6 and

7 (E) is portable or widely or nationally rec-  
8 ognized.

9 (3) STATE BOARD.—The term “State board”  
10 means a State workforce investment board estab-  
11 lished under section 111 of the Workforce Invest-  
12 ment Act of 1998 (29 U.S.C. 2821).

13 **SEC. 5. EVALUATION.**

14 (a) IN GENERAL.—Not later than 180 days after the  
15 date of enactment of this Act, the Secretary of Labor, the  
16 Secretary of Commerce, and the Secretary of Education,  
17 in consultation with each other, shall—

18 (1) conduct an evaluation of skills certification  
19 programs;

20 (2)(A) determine best practices models for skills  
21 certification programs; or

22 (B) rank the skills certification programs avail-  
23 able in an industry, based on the evaluation criteria  
24 described in subsection (b); and

25 (3) make recommendations on—

1 (A) the merits of a unified national ap-  
2 proach to programs of skills certification, as  
3 compared to multiple regional and local skills  
4 certification programs; and

5 (B) ways to streamline, if possible, duplica-  
6 tive and similar skills certification programs  
7 into a single, widely recognized certification.

8 (b) CRITERIA FOR EVALUATIONS.—The evaluation of  
9 the skills certification programs conducted under sub-  
10 section (a)(1) shall include the following criteria:

11 (1) Overall usefulness of the skills certification  
12 program for workers and employers.

13 (2) The demand from industry for workers with  
14 the skills provided and certified through the skills  
15 certification program.

16 (3) Industry involvement in the development of  
17 the skill standards included in the skills certification  
18 program.

19 (4) Industry recognition of the certification  
20 awarded under the skills certification program.

21 (5) The success of the skills certification pro-  
22 gram, based on criteria including—

23 (A) how many individuals have successfully  
24 completed the skills certification program;

1 (B) how many of such individuals are em-  
2 ployed in a field utilizing the skills provided and  
3 certified through the skills certification pro-  
4 gram; and

5 (C) the length of time that such individ-  
6 uals have been so employed.

7 (6) The level of recognition of the skills certifi-  
8 cation program as of the time of the evaluation, in-  
9 cluding an assessment of—

10 (A) how widespread the skills certification  
11 program is used;

12 (B) the number of entities, including State  
13 boards, local boards, and institutions of higher  
14 education, that have used the skills certification  
15 program;

16 (C) the number of States in which the cer-  
17 tification is recognized; and

18 (D) whether the skills provided and cer-  
19 tified through the skills certification program  
20 are reasonably useful.

21 (7) Cooperative creation in the development of  
22 the skills certification program, such as whether the  
23 standards of the skills certification program were  
24 created in consultation with relevant partners, in-  
25 cluding business, labor, and community organiza-

1        tions, and whether such partners still support and  
 2        use the standards.

3            (8) The ease of sharing the skills certification  
 4        program, including how portable the materials are,  
 5        how versatile the materials are, and whether the cer-  
 6        tification programs requires the educator to have ac-  
 7        cess to specific or extensive materials or equipment  
 8        not usually found in a classroom.

9        (c) OUTREACH.—Not later than 60 days after the  
 10      evaluation described in subsection (a) has been completed,  
 11      the Secretary of Commerce, the Secretary of Labor, and  
 12      the Secretary of Education, in consultation with each  
 13      other, shall—

14            (1) post the results of the evaluation, the rank-  
 15        ing of skills certification programs or the best prac-  
 16        tices of such programs, and the recommendations, as  
 17        described in subsection (a), on the Internet; and

18            (2) make the information described in para-  
 19        graph (1) available in print form to Congress and to  
 20        interested parties, including—

21                    (A) technical colleges;

22                    (B) community colleges;

23                    (C) State boards and local boards;

24                    (D) community organizations; and

1                   (E) other groups providing worker train-  
2                   ing, in partnership and cooperation with indus-  
3                   try.

4           (d) UPDATES.—The Secretary of Commerce, the Sec-  
5   retary of Labor, and the Secretary of Education, in con-  
6   sultation with each other, shall continue to update the  
7   evaluations, the rankings of skills certification programs  
8   or best practices of such programs, and the recommenda-  
9   tions, as described in subsection (a), as appropriate, but  
10 not less often than once every 2 years.

11          (e) FUNDING.—Of the amounts appropriated to, and  
12 available at the discretion of, the Secretary of Commerce,  
13 the Secretary of Labor, and the Secretary of Education  
14 for programmatic and administrative expenditures, such  
15 sums as may be necessary shall be used to establish and  
16 carry out the requirements of this Act.

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